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H.72

Introduced by Representatives Till of Jericho, Christie of Hartford, Tate of  
Mendon, Carr of Brandon, Chesnut-Tangerman of Middletown  
Springs, Connor of Fairfield, Cupoli of Rutland City, Dunn of  
Essex, Fields of Bennington, Gannon of Wilmington, Gonzalez  
of Winooski, Lucke of Hartford, Morris of Bennington,  
Morrissey of Bennington, Parent of St. Albans Town, Savage of  
Swanton, Scheuermann of Stowe, Shaw of Pittsford, Sibilina of  
Dover, Smith of Derby, Strong of Albany, Terenzini of Rutland  
Town, and Walz of Barre City

Referred to Committee on

Date:

Subject: Education; scholarships; Vermont National Guard

Statement of purpose of bill as introduced: This bill proposes to create the  
Vermont National Guard Educational Assistance Program to enable members  
of the Vermont National Guard to take courses tuition free at the University of  
Vermont and State Agricultural College or a Vermont State College, and to  
phase out the interest-free loan educational program currently available to  
members of the Vermont National Guard.

1       An act relating to the Vermont National Guard Educational Assistance  
2       Program

3       It is hereby enacted by the General Assembly of the State of Vermont:

4       Sec. 1. TITLE

5       This act shall be known as the Vermont National Guard Education  
6       Assistance Act.

7       Sec. 2. 16 V.S.A. § 2857 is added to read:

8       § 2857. VERMONT NATIONAL GUARD EDUCATIONAL ASSISTANCE  
9       PROGRAM

10       (a) A member of the Vermont National Guard who meets the eligibility  
11       requirements in subsection (b) of this section may take courses tuition free at  
12       the University of Vermont and State Agricultural College or a Vermont State  
13       College. A member of the Vermont National Guard attending the University  
14       of Vermont and State Agricultural College or a Vermont State College under  
15       this section shall be charged the applicable resident tuition rate, regardless of  
16       the residency status of the member, which shall be paid on behalf of the  
17       member by the Corporation.

18       (b) To be eligible for the Vermont National Guard Educational Assistance  
19       Program, an individual, whether resident or nonresident, shall satisfy all of the  
20       following requirements:

21               (1) be an active member of the Vermont National Guard;

22               (2) have successfully completed basic training;

1           (3) be enrolled in a program at the University of Vermont and State  
2           Agricultural College or a Vermont State College that leads to an undergraduate  
3           certificate or degree;

4           (4) have exhausted any post-September 11, 2001 tuition benefits and  
5           other federally funded military tuition assistance; provided that this subdivision  
6           shall not apply to Montgomery GI Bill benefits, post-September 11, 2001  
7           educational program housing allowances, federal educational entitlements,  
8           National Guard scholarship grants, interest-free loans for financial assistance  
9           to pay tuition and fees under section 2856 of this title, and other nontuition  
10          benefits; and

11          (5) have submitted a statement of good standing to the Corporation or its  
12          designee signed by the member's commanding officer within 30 days after the  
13          beginning of each semester if the individual is enrolled as a full-time student,  
14          or within 30 days after the beginning of each individual class if the individual  
15          is not enrolled as a full-time student.

16          (c) For each full academic year of tuition-free attendance at the University  
17          of Vermont and State Agricultural College or a Vermont State College under  
18          this section, a member has a two-year service commitment with the Vermont  
19          National Guard. If a member's service with the Vermont National Guard  
20          terminates other than for cause, as determined by the Vermont National Guard,

1 before fulfilling this service commitment, the member shall reimburse the  
2 Corporation a pro rata portion of the tuition paid under this section.

3 (d) A member of the Vermont National Guard who receives or has received  
4 an interest-free loan for financial assistance to pay tuition and fees under  
5 section 2856 of this title may take courses tuition free pursuant to this section  
6 in accordance with policies, procedures, and guidelines established under  
7 subsection (g) of this section.

8 (e)(1) The Office of the Adjutant and Inspector General may terminate the  
9 educational assistance provided to a member of the Vermont National Guard  
10 pursuant to this section if:

11 (A) the member's commanding officer revokes the statement of good  
12 standing submitted pursuant to subdivision (b)(5) of this section as a result of  
13 an investigation or disciplinary action that occurred after the statement of good  
14 standing was issued;

15 (B) the member's service in the Vermont National Guard terminates  
16 for cause, as determined by the Vermont National Guard;

17 (C) the member is dismissed from the University of Vermont and  
18 State Agricultural College or a Vermont State College for academic or  
19 disciplinary reasons; or

20 (D) the member withdraws from an academic course, following the  
21 optional period, if any, to withdraw from the course, at the University of

1 Vermont and State Agricultural College or a Vermont State College for which  
2 tuition is paid under this section without good cause, in which case the  
3 educational assistance may be terminated for that course.

4 (2) If an individual's educational assistance is terminated pursuant to  
5 subdivision (1) of this subsection, the individual shall be responsible on a  
6 pro rata basis for the remaining tuition cost for the current semester or any  
7 courses in which the individual is currently enrolled.

8 (3) An individual whose educational assistance has been terminated  
9 pursuant to subdivision (1)(A), (B), or (C) of this subsection shall reimburse  
10 the Corporation for the tuition paid under this section and shall be ineligible to  
11 receive future educational assistance pursuant to this section.

12 (f) If a Vermont National Guard member is dismissed for academic or  
13 disciplinary reasons from the University of Vermont and State Agricultural  
14 College or a Vermont State College before receiving tuition benefits under this  
15 section, or from any other school or educational institution, the Office of the  
16 Adjutant and Inspector General may make a determination regarding the  
17 member's eligibility to receive educational assistance pursuant to this section.

18 (g)(1) The Corporation, in consultation with the Office of the Adjutant and  
19 Inspector General, shall adopt policies, procedures, and guidelines necessary to  
20 implement the provisions of this section, which shall include eligibility  
21 requirements, application requirements, acceptance requirements, criteria for

1 “good cause” as used in subdivision (e)(1)(D) of this section, and transitional  
2 requirements for participants in the interest-free loan program established  
3 under section 2856 of this title.

4 (2) The President of the University of Vermont and State Agricultural  
5 College and the Chancellor of the Vermont State Colleges shall adopt policies  
6 and procedures for the enrollment of Vermont National Guard members in  
7 their institutions. These policies and procedures shall be consistent with the  
8 policies, procedures, and guidelines adopted by the Corporation under  
9 subdivision (g)(1) of this section.

10 (h) On or before November 1 of each year, the President of the University  
11 of Vermont and State Agricultural College and the Chancellor of the Vermont  
12 State Colleges shall report to the Governor and the House and Senate  
13 Committees on Education regarding the number of Vermont National Guard  
14 members enrolled at their institutions during the prior fiscal year who are  
15 receiving educational assistance pursuant to this section and the courses or  
16 program in which the members are enrolled. The provisions of 2 V.S.A.  
17 § 20(d) (expiration of reports) shall not apply to the reports to be made under  
18 this subsection.

19 Sec. 3. REPEAL

20 16 V.S.A. § 2856 (educational assistance; interest free loans) is repealed on  
21 July 1, 2021.

1 Sec. 4. EFFECTIVE DATE

2 This act shall take effect on July 1, 2017.